# Case 1:20-cv-01435-RDA-MSN $\,$ Document 1-1 $\,$ Filed 11/19/20 $\,$ Page 1 of 5 PageID# 4 $\,$

CT Corporation

**Service of Process** Transmittal

10/29/2020

CT Log Number 538492315

TO: Kim Lundy Service Of Process

Walmart Ínc. 702 SW 8TH ST

BENTONVILLE, AR 72716-6209

RE: **Process Served in Virginia** 

FOR: Wal-Mart Stores East, LP (Domestic State: DE)

#### ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Baybrook Jami, Pltf. vs. Wal-Mart Stores East, LP, etc., Dft.

**DOCUMENT(S) SERVED:** Summons, Complaint

COURT/AGENCY: Prince William County Circuit Court, VA

Case # 153CL2001103100

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition - 11/03/2018 -

Wal-Mart Store #3573 - 9401 Liberia Avenue, Manassas, VA 20110

ON WHOM PROCESS WAS SERVED: C T Corporation System, Glen Allen, VA DATE AND HOUR OF SERVICE: By Process Server on 10/29/2020 at 10:20

JURISDICTION SERVED: Virginia

APPEARANCE OR ANSWER DUE: Within 21 days after service

ATTORNEY(S) / SENDER(S): Brian M. Glass

BenGlassLaw

3998 Fair Ridge Drive, Suite 250

Fairfax, VA 22033 703-591-9829

**ACTION ITEMS:** CT has retained the current log, Retain Date: 10/30/2020, Expected Purge Date:

11/04/2020

Image SOP

Email Notification, Kim Lundy Service Of Process ctlawsuits@walmartlegal.com

SIGNED: C T Corporation System 1999 Bryan St Ste 900 Dallas, TX 75201-3140 ADDRESS:

877-564-7529 For Questions:

MajorAccountTeam2@wolterskluwer.com

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Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

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## **COMMONWEALTH OF VIRGINIA**



PRINCE WILLIAM CIRCUIT COURT
Civil Division
9311 LEE AVENUE
MANASSAS VA 20110
(703) 792-6029

**Summons** 

To: WAL-MART STORES EAST, LP
D/B/A WAL-MART STORE #3573
REGISTERED AGENT
CT CORPORATION SYSTEM
4701 COX ROAD SUITE 285
GLEN ALLEN VA 23060

Case No. 153CL20011031-00

The party upon whom this summons and the attached complaint are served is hereby notified that unless within 21 days after such service, response is made by filing in the clerk's office of this court a pleading in writing, in proper legal form, the allegations and charges may be taken as admitted and the court may enter an order, judgment, or decree against such party either by default or after hearing evidence.

Appearance in person is not required by this summons.

Done in the name of the Commonwealth of Virginia on, Thursday, October 22, 2020

Clerk of Court: JACQUELINE C SMITH

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Instructions:

**COMPLAINT** 

Hearing Official:

Attorney's name:

GLASS, BRIAN M; ESQ 3998 FAIR RIDGE DRIVE

SUITE 250

FAIRFAX VA 22033

### **VIRGINIA:**

### IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY

JAMI BAYBROOK,	)	
Plaintiff,	)	1/11/40/1
<b>v.</b>	) CASE NO: _	CL20-11031
WAL-MART STORES EAST, LP	)	
d/b/a/ Wal-Mart Store #3573	)	
SERVE Registered Agent:	)	
CT Corporation System	)	•
4701 Cox Road, Suite 285	)	
Glen Allen, VA 23060-6808	)	
·	)	
Defendant.	)	
	<b>COMPLAINT</b>	
	(Negligence)	

COMES NOW the Plaintiff, Jami Baybrook, and moves this Honorable Court to grant judgment in the amount herein set forth, and in support thereof states as follows:

- 1. That on or about November 3, 2018, the Plaintiff was a customer in Wal-Mart Store #3573 located at 9401 Liberia Avenue, Manassas, VA 20110.
- 2. Wal-Mart Store #3573 is owned and operated by Defendant Wal-Mart Stores East, LP.
  - 3. That at all relevant times, the Plaintiff was an invitee in Wal-Mart Store #3573.
- 4. That the Plaintiff was crouched down in an aisle selecting baby food off of the bottom shelf when a female Wal-Mart employee pushing a cart of electronics struck her with the cart, knocking her down.

- 5. That as a result of being knocked down by the Defendant's employee, the Plaintiff sustained injury to her neck.
- 6. That at all relevant times, the Defendant's employee was acting within the scope of her employment.
- 7. That the Defendant and all of its employees owed a duty to the Plaintiff to use ordinary care to avoid causing injury to the Plaintiff. This includes, among other things: maintaining a proper lookout while pushing stock carts; avoiding negligently striking shoppers with a cart; and to otherwise conduct their work duties in a safe and prudent manner given the circumstances in place at that time.
- 8. That the Defendant and its employee failed it their duty to the Plaintiff to use ordinary care to avoid causing injury. Among other things, the Defendant and its employees failed to maintain a proper lookout while pushing stock carts; avoiding negligently striking shoppers with a cart; and otherwise failed to conduct their work duties in a safe and prudent manner given the circumstances in place at that time.
- 9. As a direct and proximate result of the Defendant's employee's negligence, the Plaintiff suffered injuries, mental anguish, scarring and has incurred medical and related expenses.
- 10. The above described accident was directly and proximately caused by the negligence of Defendant.

WHEREFORE, the Plaintiff demands judgment against the Defendant in the amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000), with interest from the date of the accident and costs expended, and any further relief the Court may deem just.

### TRIAL BY JURY IS HEREBY DEMANDED.

Respectfully submitted,

JAMI BAYBROOK
By Counsel

Brian M. Glass (VSB #76771) Lisa Derco (VSB #82042)

BenGlassLaw

3998 Fair Ridge Drive

Suite 250

Fairfax, VA 22033 Tel.: 703-591-9829

Fax: 703-783-0686 brian@benglasslaw.com lisa@benglasslaw.com Counsel for Plaintiff